

FOLEY
FOLEY & LARDNER LLP

RECEIVED
FEC MAIL
FEDERAL ELECTION COMMISSION CENTER

2006 JUN 14 P 12:08

June 14, 2006

ATTORNEYS AT LAW
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143
202.672.6300 TEL
202.672.5399 FAX
www.foley.com

WRITER'S DIRECT LINE
202.295.4081
cmitchell@foley.com EMAIL

CLIENT/MATTER NUMBER
072573-0101

VIA HAND DELIVERY

Mr. Jeff Jordan, Esq.
Supervisory Attorney
Complaints Examination and Legal Administration
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: MUR 5749 – Response from Santorum 2006

Dear Mr. Jordan:

Please find enclosed a copy of the letter and refund check that were sent by Santorum 2006 prior to the filing of the complaint in the above-referenced matter and prior to notification from your office that a complaint had been filed (which, it should be noted, was not filed against Santorum 2006).

Upon reading the news report of a potential excessive contribution, Santorum 2006 conducted its own internal review of the donors referenced in the news article and concluded that because of the affiliation issue, another issue was implicated involving whether the donors were qualified multi-candidate PACs. Santorum 2006 concluded that a refund in the amount of \$1400 was due to GSP Consulting Corporation PAC ("GSP PAC") and immediately issued a check in that amount on May 4, 2006 to GSP PAC. Copies of the letter and check to GSP PAC are attached.

As a practical matter, there is simply no way for any candidate's principal authorized committee to know of the interlocking internal business and governing structure(s) of various corporations with connected PACs for purposes of 'policing' whether the PACs are affiliated. Only the PACs themselves can know that information and take the necessary steps to ensure that their PACs do not inadvertently exceed the contribution limits for affiliated PACs.

In this instance, according to news reports, the responsible persons associated with the PACs discovered and self-reported to the FEC the potential affiliation issue. Apparently, that is how this matter came to light in the first place. None of the entities involved, particularly not the Santorum 2006 committee, should be penalized for the *sua sponte* reporting by the PACs to the FEC of the affiliation issue.

BOSTON
BRUSSELS
CHICAGO
DETROIT
JACKSONVILLE

LOS ANGELES
MADISON
MILWAUKEE
NEW YORK
ORLANDO

SACRAMENTO
SAN DIEGO
SAN DIEGO/DEL MAR
SAN FRANCISCO
SILICON VALLEY

TALLAHASSEE
TAMPA
TOKYO
WASHINGTON, D.C.

WASH_1630113.1



FOLEY & LARDNER LLP

Mr. Jeff Jordan, Esq.

June 14, 2006

Page 2

Accordingly, Santorum 2006 respectfully requests that no further action be taken by your office against Santorum 2006 for the reason that it a) could not have known of the potential affiliation of the separate PACs and, b) when it did become aware through a newspaper article of the potential problem, the Santorum 2006 immediately undertook an internal review and refunded the appropriate amount of the contribution(s) *prior* to any action filed with or taken by the Federal Election Commission. Santorum 2006 should certainly not be penalized for the inadvertent mistakes of others which they *sua sponte* brought to the attention of the FEC, which somehow were made public and which Santorum 2006 remedied immediately upon notice of a potential problem.

Please contact me at (202) 295-4081 if further information is required or if you have any questions regarding this matter. Thank you.

Sincerely,

Cleta Mitchell, Esq.

Counsel to Santorum 2006

CMI:cmi
Enclosures

cc: Mr. Gregg Melinson